

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1 and 9 have been amended. Claims 2 and 14-30 have been canceled. No claims have been added. No claims have been added or canceled. Thus, claims 1, 3-13, 31 and 32 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 101

Claims 22-29 were rejected as being directed to non-statutory subject matter. Claims 22-29 have been canceled. Therefore, the rejection of claims 22-29 is moot.

CLAIM REJECTIONS – 35 U.S.C. § 102(e)

Claims 1, 19 and 22 were rejected as being anticipated by U.S. Patent Publication No. 2005/0182850 of Kohno, et al., (*Kohno*). Claims 19 and 22 have been canceled. Therefore, the rejection of claims 19 and 22 is moot. For at least the reasons set forth below, Applicants submit that claim 1 is not anticipated by *Kohno*.

Claim 1 has been amended to recite an ad hoc wireless mesh network. Applicants agree with the Office Action that *Kohno* does not teach or suggest an ad hoc wireless mesh network. Therefore, *Kohno* cannot anticipate the invention as recited in claim 1.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 2 and 23 were rejected as being unpatentable over *Kohno* in view of U.S. Patent Publication No. 2005/0111422 of Nakanishi, et al. (*Nakanishi*). Claims 2 and 23 have been canceled. Therefore, the rejection of claims 2 and 23 is moot.

Claims 3-6, 9-12, 14-18, 20, 21 and 24-32 were rejected as being unpatentable over *Kohno* in view of U.S. Patent Publication No. 2005/0041584 of Lau, et al. (*Lau*). Claims 14-18, 20, 21 and 24-30 have been canceled. Therefore, the rejection of claims 14-18, 20, 21 and 24-30 is moot. For at least the reasons set forth below, Applicants submit that claims 3-6, 9-12, 31 and 32 are not rendered obvious by *Kohno* and *Lau*.

Claims 7, 8 and 13 were rejected as being unpatentable over *Kohno* in view of *Lau* and further in view of U.S. Patent Publication No. 2005/0100049 of Siminoff (*Siminoff*). For at least the reasons set forth below, Applicants submit that claims 7, 8 and 13 are not rendered obvious by *Kohno*, *Lau* and *Siminoff*.

Independent claims 1 and 9 have been amended to recite:

... the wireless network is an ad hoc wireless network and the packet loss is calculated by:

$$P_{k+1} = P_k + (C - L - 1)$$

where P_k = total packet loss calculated in a previous period, P_{k+1} = total packet loss calculated in a current period, C = packet count in the current period, and L = packet count in the previous period.

Thus, Applicants recite a specific technique for determining packet loss and use of that information.

None of the cited references appear to teach or suggest determining and using packet loss as recited in the claims. Therefore, no combination of the cited references can teach or suggest the invention as recited in the claims.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1, 3-13, 31 and 32 are in condition for allowance and such

action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: August 31, 2010

/Paul A. Mendonsa/
Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

1279 Oakmead Parkway
Sunnyvale, CA 4085-4040
(503) 439-8778